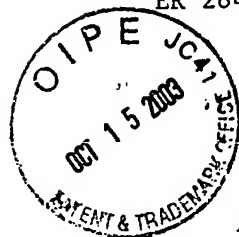


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Marek T. Wlodarczyk, et al.

October 15, 2003

**Serial No.:** 10/030,260

**Art Unit:** 2855

**Filed:** 04/12/2002

**Examiner:** Jermaine L. Jenkins

**For:** TEMPERATURE COMPENSATED FIBER-OPTIC PRESSURE SENSOR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO EXAMINER'S ACTION DATED APRIL 15, 2003**

Sir:

Claims 1-4 have been rejected as anticipated by Wlodarczyk Patent No. 5,600,070.

Reconsideration is respectfully requested in view of the following considerations.

Independent claim 1, in the five lines beginning with "the improvement comprising," is broadly directed to selecting the materials of the sensors such that the fiber-optic tip to diaphragm distance changes to compensate for temperature-induced changes in sensor sensitivity and offset dependence.

The Specification in the Summary and in the Preferred Embodiments teaches two different methods with two different compensation results, neither of which are taught in the previous Wlodarczyk patent cited by the examiner. The Wlodarczyk patent teaches changes in materials and changes in distance between the fiber-optic tip and the diaphragm. The Wlodarczyk patent does not teach compensation or correction for temperature-induced changes in the sensor sensitivity and offset dependence that applicants teach in this application in the Preferred Embodiments.

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Applicants' Preferred Embodiments make clear that selecting the proper combination of materials with their differing thermal coefficients of expansion is a non-trivial engineering design with two different constructions possible, depending on the sensor sensitivity and offset dependence results desired. The specific two different sensor constructions are set forth in dependent claims 2 and 3. The Wlodarczyk patent does not even suggest the further improvements set forth in this application and claimed in independent claim 1 or dependent claims 2 and 3.

The examiner's statement with respect to claim 4 at the top of page 3 of the examiner's action is incorrect. It is not only not inherent for the fiber tip to diaphragm distance to change to zero, it is very undesirable for contact to occur, as fully explained in the Wlodarczyk patent. The Wlodarczyk patent describes various sensor modifications in construction to minimize damage when overpressures on the sensor cause diaphragm contact with the fiber tip.

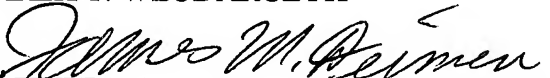
Applicants' claim 4 specifies that the "distance change is substantially zero over varying temperature changes," not that the distance changes to substantially zero. These are entirely different engineering concepts.

In view of the above comments, claims 1-4 are believed allowable.

Respectfully submitted,

MAREK T. WLODARCZYK

By



James M. Deimen, #25504

320 N. Main Street, Suite 300

Ann Arbor, MI 48104-1192

Phone: (734) 994-5947

Fax: (734) 769-2702



PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 99-1200US
In re Application of Marek T. Wlodarczyk et al.		
Application Number 10/030,260		Filed 04/12/2002
For TEMPERATURE COMPENSATED FIBER OPTIC PRESSURE --		
Group Art Unit 2855	Examiner Jermaine L. Jenkins	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$ _____
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$ _____
<input checked="" type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$ 950.00
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$ _____
<input type="checkbox"/>	Five months (37 CFR 1.17 (a)(5))	\$ _____

☒ Applicant is a small entity under 37 CFR 1.9 and 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 475.00

A small entity statement under 37 CFR 1.27:

☒ is enclosed.

☐ has already been filed in this application.

☒ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

I am the ☐ assignee of record of the entire interest.

☐ applicant.

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_

10/15/2003  
Date

*James M. Deimen*  
Signature

James M. Deimen  
Typed or printed name

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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